ELECTRONIC CODE OF FEDERAL REGULATIONS

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Title 40: Protection of Environment

PART 423—STEAM ELECTRIC POWER GENERATING POINT SOURCE CATEGORY

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Appendix A to Part 423—126 Priority Pollutants

AUTHORITY: Secs. 301; 304(b), (c), (e), and (g); 306(b) and (c); 307(b) and (c); and 501, Clean Water Act (Federal Water Pollution Control Act Amendments of 1972, as amended by Clean Water Act of 1977) (the "Act"; 33 U.S.C. 1311; 1314(b), (c), (e), and (g); 1316(b) and (c); 1317(b) and (c); and 1361; 86 Stat. 816, Pub. L. 92-500; 91 Stat. 1567, Pub. L. 95-217), unless otherwise noted.

Source: 47 FR 52304, Nov. 19, 1982, unless otherwise noted.



§423.10 Applicability.

The provisions of this part are applicable to discharges resulting from the operation of a generating unit by an establishment primarily engaged in the generation of electricity for distribution and sale which results primarily from a process utilizing fossil-type fuel (coal, oil, or gas) or nuclear fuel in conjunction with a thermal cycle employing the steam water system as the thermodynamic medium.



§423.11 Specialized definitions.

In addition to the definitions set forth in 40 CFR part 401, the following definitions apply to this part:

- (a) The term *total residual chlorine* (or total residual oxidants for intake water with bromides) means the value obtained using any of the "chlorine—total residual" methods in Table IB in 40 CFR 136.3(a), or other methods approved by the permitting authority.
- (b) The term *low volume waste sources* means, taken collectively as if from one source, wastewater from all sources except those for which specific limitations are otherwise established in this part. Low volume wastes sources include, but are not limited to: wastewaters from wet scrubber air pollution control systems, ion exchange water treatment system, water treatment evaporator blowdown, laboratory and sampling streams, boiler blowdown, floor drains, cooling tower basin cleaning wastes, and recirculating house service water systems. Sanitary and air conditioning wastes are not included.
- (c) The term *chemical metal cleaning waste* means any wastewater resulting from the cleaning of any metal process equipment with chemical compounds, including, but not limited to, boiler tube cleaning.
- (d) The term *metal cleaning waste* means any wastewater resulting from cleaning [with or without chemical cleaning compounds] any metal process equipment including, but not limited to, boiler tube cleaning, boiler fireside cleaning, and air preheater cleaning.
- (e) The term *fly ash* means the ash that is carried out of the furnace by the gas stream and collected by mechanical precipitators, electrostatic precipitators, and/or fabric filters. Economizer ash is included when it is collected with fly ash.
- (f) The term *bottom* ash means the ash that drops out of the furnace gas stream in the furnace and in the economizer sections. Economizer ash is included when it is collected with bottom ash.
- (g) The term *once through cooling water* means water passed through the main cooling condensers in one or two passes for the purpose of removing waste heat.
- (h) The term *recirculated cooling water* means water which is passed through the main condensers for the purpose of removing waste heat, passed through a cooling device for the purpose of removing such heat from the water and then passed again, except for blowdown, through the main condenser.
- (i) The term 10 year, 24/hour rainfall event means a rainfall event with a probable recurrence interval of once in ten years as defined by the National Weather Service in Technical Paper No. 40. Rainfall Frequency Atlas of the United States, May 1961 or equivalent regional rainfall probability information developed therefrom.
- (j) The term *blowdown* means the minimum discharge of recirculating water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentration in amounts exceeding limits established by best engineering practices.
- (k) The term *average concentration* as it relates to chlorine discharge means the average of analyses made over a single period of chlorine release which does not exceed two hours.
- (I) The term *free available chlorine* means the value obtained using any of the "chlorine—free available" methods in Table IB in 40 CFR 136.3(a) where the method has the capability of measuring free available chlorine, or other methods approved by the permitting authority.
 - (m) The term coal pile runoff means the rainfall runoff from or through any coal storage pile.

[47 FR 52304, Nov. 19, 1982, as amended at 77 FR 29834, May 18, 2012]

§423.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

- (a) In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, utilization of facilities, raw materials, manufacturing processes, non-water quality environmental impacts, control and treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES Permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The phrase "other such factors" appearing above may include significant cost differentials. In no event may a discharger's impact on receiving water quality be considered as a factor under this paragraph.
- (b) Any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction by the application of the best practicable control technology currently available (BPT):
 - (1) The pH of all discharges, except once through cooling water, shall be within the range of 6.0-9.0.
- (2) There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
- (3) The quantity of pollutants discharged from low volume waste sources shall not exceed the quantity determined by multiplying the flow of low volume waste sources times the concentration lised in the following table:

	BPT effluent limitations	
-		Average of daily values for 30 consecutive days shall not exceed (mg/l)
TSS	100.0	30.0
Oil and grease	20.0	15.0

(4) The quantity of pollutants discharged in fly ash and bottom ash transport water shall not exceed the quantity determined by multiplying the flow of fly ash and bottom ash transport water times the concentration listed in the following table:

	BPT effluent limitations	
Pollutant or pollutant property	1	Average of daily values for 30 consecutive days shall not exceed (mg/l)

TSS	100.0	30.0
Oil and grease	20.0	15.0

(5) The quantity of pollutants discharged in metal cleaning wastes shall not exceed the quantity determined by multiplying the flow of metal cleaning wastes times the concentration listed in the following table:

	BPT effluent limitations	
Pollutant or pollutant property	Maximum for any 1 Average of daily values for 30 consecutive days day (mg/l) shall not exceed (mg/l)	
TSS	100.0	30.0
Oil and grease	20.0	15.0
Copper, total	1.0	1.0
Iron, total	1.0	1.0

(6) The quantity of pollutants discharged in once through cooling water shall not exceed the quantity determined by multiplying the flow of once through cooling water sources times the concentation listed in the following table:

	BPT effluent limitations	
Pollutant or pollutant property	Maximum concentration (mg/l)	Average concentration (mg/l)
Free available chlorine	0.5	0.2

(7) The quantity of pollutants discharged in cooling tower blowdown shall not exceed the quantity determined by multiplying the flow of cooling tower blowdown sources times the concentration listed in the following table:

	BPT effluent limitations	
Pollutant or pollutant property	Maximum concentration (mg/l)	Average concentration (mg/l)
Free available chlorine	0.5	0.2

- (8) Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Regional Administrator or State, if the State has NPDES permit issuing authority, that the units in a particular location cannot operate at or below this level or chlorination.
- (9) Subject to the provisions of paragraph (b)(10) of this section, the following effluent limitations shall apply to the point source discharges of coal pile runoff:

	BPT effluent limitations
Pollutant or pollutant property	Maximum concentration for any time (mg/l)

TSS	50

- (10) Any untreated overflow from facilities designed, constructed, and operated to treat the volume of coal pile runoff which is associated with a 10 year, 24 hour rainfall event shall not be subject to the limitations in paragraph (b)(9) of this section.
- (11) At the permitting authority's discretion, the quantity of pollutant allowed to be discharged may be expressed as a concentration limitation instead of the mass based limitations specified in paragraphs (b)(3) through (7) of this section. Concentration limitations shall be those concentrations specified in this section.
- (12) In the event that waste streams from various sources are combined for treatment or discharge, the quantity of each pollutant or pollutant property controlled in paragraphs (b)(1) through (11) of this section attributable to each controlled waste source shall not exceed the specified limitations for that waste source.

(The information collection requirements contained in paragraph (a) were approved by the Office of Management and Budget under control number 2000-0194)

[47 FR 52304, Nov. 19, 1982, as amended at 48 FR 31404, July 8, 1983]



§423.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this part must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

- (a) There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
- (b)(1) For any plant with a total rated electric generating capacity of 25 or more megawatts, the quantity of pollutants discharged in once through cooling water from each discharge point shall not exceed the quantity determined by multiplying the flow of once through cooling water from each discharge point times the concentration listed in the following table:

	BAT Effluent Limitations	
Pollutant or pollutant property	Maximum concentration (mg/l)	
Total residual chlorine	0.20	

- (2) Total residual chlorine may not be discharged from any single generating unit for more than two hours per day unless the discharger demonstrates to the permitting authority that discharge for more than two hours is required for macroinvertebrate control. Simultaneous multi-unit chlorination is permitted.
- (c)(1) For any plant with a total rated generating capacity of less than 25 megawatts, the quantity of pollutants discharged in once through cooling water shall not exceed the quantity determined by multiplying the flow of once through cooling water sources times the concentration listed in the following table:

	BAT effluent limitations	
Pollutant or pollutant property	Maximum concentration (mg/l)	Average concentration (mg/l)
Free available chlorine	0.5	0.2

- (2) Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Regional Administrator or State, if the State has NPDES permit issuing authority, that the units in a particular location cannot operate at or below this level of chlorination.
- (d)(1) The quantity of pollutants discharged in cooling tower blowdown shall not exceed the quantity determined by multiplying the flow of cooling tower blowdown times the concentration listed below:

	BAT effluent limitations	
Pollutant or pollutant property	Maximum concentration (mg/l)	Average concentration (mg/l)
Free available chlorine	0.5	0.2
		Average of daily values for 30 consecutive days shall not exceed =(mg/l)
The 126 priority pollutants (Appendix A) contained in chemicals added for cooling tower maintenance, except:	(1)	(1)
Chromium, total	0.2	0.2
Zinc, total	1.0	1.0

¹No detectable amount.

- (2) Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Regional Administrator or State, if the State has NPDES permit issuing authority, that the units in a particular location cannot operate at or below this level of chlorination.
- (3) At the permitting authority's discretion, instead of the monitoring specified in 40 CFR 122.11(b) compliance with the limitations for the 126 priority pollutants in paragraph (d)(1) of this section may be determined by engineering calculations which demonstrate that the regulated pollutants are not detectable in the final discharge by the analytical methods in 40 CFR part 136.
- (e) The quantity of pollutants discharged in chemical metal cleaning wastes shall not exceed the quantity determined by multiplying the flow of chemical metal cleaning wastes times the concentration listed in the following table:

BAT effluent limitations

Pollutant or pollutant property	Maximum for any 1 day (mg/l)	Average of daily values for 30 consecutive days shall not exceed -(mg/l)
Copper, total	1.0	1.0
Iron, total	1.0	1.0

- (f) [Reserved—Nonchemical Metal Cleaning Wastes].
- (g) At the permitting authority's discretion, the quantity of pollutant allowed to be discharged may be expressed as a concentration limitation instead of the mass based limitations specified in paragraphs (b) through (e) of this section. Concentration limitations shall be those concentrations specified in this section.
- (h) In the event that waste streams from various sources are combined for treatment or discharge, the quantity of each pollutant or pollutant property controlled in paragraphs (a) through (g) of this section attributable to each controlled waste source shall not exceed the specified limitation for that waste source.

(The information collection requirements contained in paragraphs (c)(2) and (d)(2) were approved by the Office of Management and Budget under control number 2040-0040. The information collection requirements contained in paragraph (d)(3) were approved under control number 2040-0033.)

[47 FR 52304, Nov. 19, 1982, as amended at 48 FR 31404, July 8, 1983]

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§423.14 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT). [Reserved]

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§423.15 New source performance standards (NSPS).

Any new source subject to this subpart must achieve the following new source performance standards:

- (a) The pH of all discharges, except once through cooling water, shall be within the range of 6.0-9.0.
- (b) There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.
- (c) The quantity of pollutants discharged from low volume waste sources shall not exceed the quantity determined by multiplying the flow of low volume waste sources times the concentration listed in the following table:

	NSPS effluent limitations	
Pollutant or pollutant property	Maximum for any 1 day (mg/l) Average of daily values for 30 consecutive days shall not exceed (mg/l)	
TSS	100.0	30.0
Oil and grease	20.0	15.0

(d) The quantity of pollutants discharged in chemical metal cleaning wastes shall not exceed the quantity determined by multiplying the flow of chemical metal cleaning wastes times the concentration listed in the following table:

	NSPS effluent limitations	
Pollutant or pollutant property	Maximum for any 1 day (mg/l)	Average of daily values for 30 consecutive days shall not exceed (mg/l)
TSS	100.0	30.0
Oil and grease	20.0	15.0
Copper, total	1.0	1.0
Iron, total	1.0	1.0

- (e) [Reserved—Nonchemical Metal Cleaning Wastes].
- (f) The quantity of pollutants discharged in bottom ash transport water shall not exceed the quantity determined by multiplying the flow of the bottom ash transport water times the concentration listed in the following table:

	NSPS effluent limitations	
Pollutant or pollutant property	Maximum for any 1 Average of daily values for 30 consecutive days shall not exceed (mg/l)	
TSS	100.0	30.0
Oil and grease	20.0	15.0

- (g) There shall be no discharge of wastewater pollutants from fly ash transport water.
- (h)(1) For any plant with a total rated electric generating capacity of 25 or more megawatts, the quantity of pollutants discharged in once through cooling water from each discharge point shall not exceed the quantity determined by multiplying the flow of once through cooling water from each discharge point times the concentration listed in the following table:

	NSPS effluent limitations	
Pollutant or pollutant property	Maximum concentration (mg/l)	
Total residual chlorine	0.20	

- (2) Total residual chlorine may not be discharged from any single generating unit for more than two hours per day unless the discharger demonstrates to the permitting authority that discharge for more than two hours is required for macroinvertebrate control. Simultaneous multi-unit chlorination is permitted.
- (i)(1) For any plant with a total rated generating capacity of less than 25 megawatts, the quantity of pollutants discharged in once through cooling water shall not exceed the quantity determined by multiplying the flow of once through cooling water sources times the concentration listed in the following table:

	NSPS effluent limitations	
Pollutant of pollutant property	Maximum concentration (mg/l)	Average concentration (mg/l)
Free available chlorine	0.5	0.2

(2) Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Regional Administrator or State, if the State has NPDES permit issuing authority, that the units in a particular location cannot operate at or below this level of chlorination.

(j)(1) The quantity of pollutants discharged in cooling tower blowdown shall not exceed the quantity determined by multiplying the flow of cooling tower blowdown times the concentration listed below:

	NSPS effluent limitations	
Pollutant or pollutant property	Maximum concentration (mg/l)	Average concentration (mg/l)
Free available chlorine	0.5	0.2
Pollutant or pollutant property		Average of daily values for 30 consecutive days shall not exceed –(mg/l)
The 126 priority pollutants (Appendix A) contained in chemicals added for cooling tower maintenance, except:	(1)	(1)
Chromium, total	0.2	0.2
Zinc, total	1.0	1.0

¹No detectable amount.

- (2) Neither free available chlorine nor total residual chlorine may be discharged from any unit for more than two hours in any one day and not more than one unit in any plant may discharge free available or total residual chlorine at any one time unless the utility can demonstrate to the Regional Administrator or State, if the State has NPDES permit issuing authority, that the units in a particular location cannot operate at or below this level of chlorination.
- (3) At the permitting authority's discretion, instead of the monitoring in 40 CFR 122.11(b), compliance with the limitations for the 126 priority pollutants in paragraph (j)(1) of this section may be determined by engineering calculations which demonstrate that the regulated pollutants are not detectable in the final discharge by the analytical methods in 40 CFR part 136.
- (k) Subject to the provisions of §423.15(l), the quantity or quality of pollutants or pollutant parameters discharged in coal pile runoff shall not exceed the limitations specified below:

Pollutant or pollutant property	NSPS effluent limitations for any time
TSS	Not to exceed 50 mg/l.

- (I) Any untreated overflow from facilities designed, constructed, and operated to treat the coal pile runoff which results from a 10 year, 24 hour rainfall event shall not be subject to the limitations in §423.15(k).
- (m) At the permitting authority's discretion, the quantity of pollutant allowed to be discharged may be expressed as a concentration limitation instead of the mass based limitation specified in paragraphs (c) through (j) of this section. Concentration limits shall be based on the concentrations specified in this section.
- (n) In the event that waste streams from various sources are combined for treatment or discharge, the quantity of each pollutant or pollutant property controlled in paragraphs (a) through (m) of this section attributable to each controlled waste source shall not exceed the specified limitation for that waste source.

(The information collection requirements contained in paragraphs (h)(2), (i)(2), and (j)(2) were approved by the Office of Management and Budget under control number 2040-0040. The information collection requirements contained in paragraph (j)(3) were approved under control number 2040-0033.)

[47 FR 52304, Nov. 19, 1982, as amended at 48 FR 31404, July 8, 1983]



§423.16 Pretreatment standards for existing sources (PSES).

Except as provided in 40 CFR 403.7 and 403.13, any existing source subject to this subpart which introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and achieve the following pretreatment standards for existing sources (PSES) by July 1, 1984:

- (a) There shall be no discharge of polychlorinated biphenol compounds such as those used for transformer fluid.
- (b) The pollutants discharged in chemical metal cleaning wastes shall not exceed the concentration listed in the following table:

	PSES pretreatment standards	
Pollutant or pollutant property	Maximum for 1 day (mg/l)	
Copper, total	1.0	

- (c) [Reserved—Nonchemical Metal Cleaning Wastes].
- (d)(1) The pollutants discharged in cooling tower blowdown shall not exceed the concentration listed in the following table:

	PSES pretreatment standards
Pollutant or pollutant property	Maximum for any time (mg/l)
The 126 priority pollutants (Appendix A) contained in chemicals added for cooling tower maintenance, except:	(1)
Chromium, total	0.2

I And total	1 0
Zirio, total	1.0

¹No detectable amount.

(2) At the permitting authority's discretion, instead of the monitoring in 40 CFR 122.11(b), compliance with the limitations for the 126 priority pollutants in paragraph (d)(1) of this section may be determined by engineering calculations which demonstrate that the regulated pollutants are not detectable in the final discharge by the analytical methods in 40 CFR part 136.



§423.17 Pretreatment standards for new sources (PSNS).

Except as provided in 40 CFR 403.7, any new source subject to this subpart part which introduces pollutants into a publicly owned treatment works must comply with 40 CFR part 403 and the following pretreatment standards for new sources (PSNS).

- (a) There shall be no discharge of polychlorinated biphenyl compounds such as those used for transformer fluid.
- (b) The pollutants discharged in chemical metal cleaning wastes shall not exceed the concentration listed in the following table:

	PSNS pretreatment standards	
Pollutant or pollutant property	Maximum for 1 day (mg/l)	
Copper, total	1.0	

- (c) [Reserved—Nonchemical Metal Cleaning Wastes].
- (d)(1) The pollutants discharged in cooling tower blowdown shall not exceed the concentration listed in the following table:

Pollutant or pollutant property	PSNS pretreatment standards Maximum for any time (mg/l)
Chromium, total	0.2
Zinc, total	1.0

- (2) At the permitting authority's discretion, instead of the monitoring in 40 CFR 122.11(b), compliance with the limitations for the 126 priority pollutants in paragraph (d)(1) of this section may be determined by engineering calculations which demonstrate that the regulated pollutants are not detectable in the final discharge by the analytical methods in 40 CFR part 136.
 - (e) There shall be no discharge of wastewater pollutants from fly ash transport water.

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Appendix A to Part 423—126 Priority Pollutants

- 001 Acenaphthene
- 002 Acrolein
- 003 Acrylonitrile
- 004 Benzene
- 005 Benzidine
- 006 Carbon tetrachloride (tetrachloromethane)
- 007 Chlorobenzene
- 008 1,2,4-trichlorobenzene
- 009 Hexachlorobenzene
- 010 1,2-dichloroethane
- 011 1,1,1-trichloreothane
- 012 Hexachloroethane
- 013 1,1-dichloroethane
- 014 1,1,2-trichloroethane
- 015 1,1,2,2-tetrachloroethane
- 016 Chloroethane
- 018 Bis(2-chloroethyl) ether
- 019 2-chloroethyl vinyl ether (mixed)
- 020 2-chloronaphthalene
- 021 2,4, 6-trichlorophenol
- 022 Parachlorometa cresol
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- 024 2-chlorophenol
- 025 1,2-dichlorobenzene
- 026 1,3-dichlorobenzene
- 027 1,4-dichlorobenzene
- 028 3,3-dichlorobenzidine
- 029 1,1-dichloroethylene

- 030 1,2-trans-dichloroethylene
- 031 2,4-dichlorophenol
- 032 1,2-dichloropropane
- 033 1,2-dichloropropylene (1,3-dichloropropene)
- 034 2,4-dimethylphenol
- 035 2,4-dinitrotoluene
- 036 2,6-dinitrotoluene
- 037 1,2-diphenylhydrazine
- 038 Ethylbenzene
- 039 Fluoranthene
- 040 4-chlorophenyl phenyl ether
- 041 4-bromophenyl phenyl ether
- 042 Bis(2-chloroisopropyl) ether
- 043 Bis(2-chloroethoxy) methane
- 044 Methylene chloride (dichloromethane)
- 045 Methyl chloride (dichloromethane)
- 046 Methyl bromide (bromomethane)
- 047 Bromoform (tribromomethane)
- 048 Dichlorobromomethane
- 051 Chlorodibromomethane
- 052 Hexachlorobutadiene
- 053 Hexachloromyclopentadiene
- 054 Isophorone
- 055 Naphthalene
- 056 Nitrobenzene
- 057 2-nitrophenol
- 058 4-nitrophenol
- 059 2,4-dinitrophenol
- 060 4,6-dinitro-o-cresol
- 061 N-nitrosodimethylamine

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- 074 3,4-Benzofluoranthene (benzo(b) fluoranthene)
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- 079 1,12-benzoperylene (benzo(ghi) perylene)
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- 084 Pyrene
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- 086 Toluene
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- 088 Vinyl chloride (chloroethylene)
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- 126 Silver
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- 126 Silver
- 128 Zinc
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